



DRAFT

Council Meeting Minutes September 21, 2011

Members Present

Jennifer Allen
Michael Bailey
Catherine Blakemore
Dan Boomer
Max Duley
Ray Ceragioli
Lisa Cooley
Terri Delgadillo
Marcia Good
Robin Hansen
Bill Moore
Patty O'Brien-Petterson
Wayne Sauseda
Leroy Shipp
Steve Silvius
Kerstin Williams

Members Absent

Jorge Aguiar
Lora Connolly
Toby Douglas
Denise Filz
Robert Jacobs
David Mulvaney
Olivia Raynor
Jennifer Walsh

Others Attending

Dena Hernandez
Robin Keehn
Angie Lewis
Robin Maitino
Dawn Morley
Carol Risley
Margaret Shipp
Rocio Smith
Vicki Smith
Mark Starford
Joe Bowling
Mary Agnes Nolan
Melissa Corral
Roberta Newton
Anastasia Bacigalupo
Dwight Hansen
Joan Burg
Mary Ellen Stives
Greg Hamtil
Alice Tapley
Robert Phillips
Will Sanford
Mareva Brown
Carl London
Rick Ingraham
Joe Jaquez
Tammy Eudy
Holly Bins
Jacquie Foss
Michelle Ramirez

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM

Leroy Shipp, Chairperson called the meeting to order at 10:00 a.m. and established a quorum present at 10:05 a.m.

2. WELCOME AND INTRODUCTIONS

Council members and others attending introduced themselves.

3. PUBLIC COMMENT

Greg Hamtil spoke about his daughter and the family's decision to move her into a community care home two years ago due to the loss of respite services.

Mr. Hamtil believes the parental fee program is being misinterpreted to include the parents of children on the Home and Community-Based waiver. He further believes that the USDA data used to support these fees is not fair or reasonable.

Mr. Hamtil submitted a letter which described in more detail the issues. He requested a written response from the Council.

4. APROVAL OF JULY 2011 MEETING MINUTES

It was moved/seconded (Bailey/Boomer) and carried to approve the July 27, 2011, Council meeting minutes as presented.

5. 2011-12 DDS BUDGET UPDATE

Terri Delgadillo provided a comprehensive report on the various budgets and reductions since March 2011. Changes in March included:

- Regional center board oversight of contracts in excess of \$250,000;
- Standardized conflict of interest reporting;
- Audits;
- Accounting and transparency;
- 15% cap on administrative costs;
- Compliance with Medicaid integrity rules; and
- Third party liability.

In June 2011 DDS received credit for savings and a reduced caseload estimate, as well as pursuing a 1915K waiver for personal services. DDS was also successful in being able to bill Medicaid for transportation and day services provided to residents of ICF/DD facilities. Renewal of the HCBS waiver is in process and working on a 1959 State Plan amendment to cover more services. Terri noted that all regional centers achieved the expected operations savings and while there are less funds for the Community Placement Plan, those funds remain adequate. Others changes include:

- Implementation of the annual family program fee;
- Retention of 18-22 year olds in education programs if appropriate;
- The assessment process of shared tasks in supported living;
- Alternative day services;
- Verification of the delivery of services;
- Transfer of Prevention Program to the Family Resource Network;
- Integrated transportation planning;
- Use of Financial Management Services for vouchered services;
- Impact of closure of Adult Day Health Centers; and
- Changes in dental services.

Terri also discussed the trigger passed by the Legislature which includes the potential for up to an additional \$100 million reduction in the developmental services system in 2011-12. Terri clarified that if the trigger is activated, savings is not solely attributable to the regional center budget but from the entire developmental services budget. DDS is monitoring expenditures and caseloads carefully to identify potential savings and is focused on savings rather than reductions. The status of the trigger will not be known until late December 2011 and if implemented will be applied to the remainder of the 2011-12 fiscal year.

The Council thanked Terri for her thorough report. In response, the Council Self-Advocates Advisory Committee recommended the following:

- Keep reduction as far away from consumers as possible;
- Consolidate finance departments, executive directors, operations of regional centers to minimize cuts to services. Make cuts in regional center operations rather than for consumers; and
- Give adequate notice to consumers in advance of any changes. Notice needs to be provided in ways people understand.

6. REGIONAL CENTER CONFLICT OF INTEREST WAIVER REQUEST – PROPOSED REVIEW PROCEDURE

Melissa Corral reported on the Council's request that the Executive Committee develop Council procedures/guidelines for considering waiver requests.

It was moved/seconded (Blakemore/Silvius) and carried to adopt the revised process as presented and pursue changes to the Welfare and Institutions Code to remove area boards and the Council from the waiver approval process.

7. RCRC CONFLICT OF INTEREST WAIVER RENEWAL REQUEST

Pursuant to Welfare and Institutions Code Section 4628 and the California Code of Regulations, Title 17 Section 54524, both the local area board and State Council must approve or deny conflict of interest (COI) request submitted by a regional center.

The Redwood Coat Regional Center requested a COI waiver be granted for Beverly Fontaine (approved by Area Board 1).

It was moved/seconded (Bailey/Hansen) and carried to add the stipulation that Ms. Fontaine recuse herself from any discussion, and/or vote which may present a conflict. (1 no, 1 abstention)

It was moved/seconded (Bailey/Silvius) and carried to approve the waiver request with the added stipulation. (1 no, 1 abstention)

8. MERIT SALARY ADJUSTMENTS BRIEFING

The following questions were posed to Melissa Corral with regard to salary adjustments for exempt employees:

1. What are the differences between exempt and civil service employees?
2. What are Merit Salary Adjustments (MSAs) and when do they apply?
3. What/who is an appointing authority?

4. Who has the authority to determine salary adjustments for exempt employees at the Council?

Ms. Corral researched the questions and reported her findings to the Council. She clarified that while civil service employees are granted incremental salary steps until they reach the top of their salary range; exempt employees are eligible for 5% increases on their annual anniversary up to the top of their salary range. All increases must be approved by the employees' supervisor. Her research concluded that the appointing authority/supervisor for the Council Executive Director is the Council, while the Executive Directors of each area board are appointed by the Executive Director of the Council upon the recommendation of the area board and with the approval of the Council. She concluded that the Executive Director of the Council has the final authority for approving salary increases, within the DPA established salary ranges, for the area board executive directors.

Following discussion, the Council requested staff seek a formal opinion from the Attorney General on these issues.

9. **COMMITTEE REPORTS**

a. **EMPLOYMENT FIRST**

Carol Risley provided an Employment First report in the absence of Olivia Raynor. The first annual report was submitted to the Legislature and Governor in August 2011. The Assembly Human Services Committee conducted a hearing on employment first. Olivia Raynor represented the Council and Bill Kernan from Massachusetts testified in support of the report findings and recommendations. Molly Kennedy also spoke as a self-advocate.

The next Employment First Committee meeting is set to for October 26, 2011.

b. EXECUTIVE

(i.) Executive Director Evaluation (closed session)

Leroy Shipp convened a closed session to discuss the evaluation of SCDD Executive Director, Carol Risley.

(ii.) Executive Director Evaluation (open session)

Leroy Shipp reconvened the Council in open session. The following actions were taken with regard to the executive director evaluation.

It was moved/seconded (Good/Boomer) and carried to award the SCDD Executive Director a 5% merit increase.

It was moved/seconded (Good/Bailey) and carried to develop an executive director evaluation standard policy for area boards and the Council to promote consistency.

c. SELF-ADVOCATES ADVISORY COMMITTEE

Jennifer Allen, Lisa Cooley, and Michael Bailey provided an overview of the Committee's organization, operating rules, goals and action plan, and leadership development.

10. COUNCIL MEMBER REPORTS/COMMENTS

Kerstin Williams announced the Area Board 6 Annual Barbecue would take place on September 26, 2011.

Robin Hansen announced that author Luis Montalván would be speaking at the M.I.N.D. Institute on September 28, 2011. Luis is an Iraq vet who suffered a traumatic brain injury and subsequently wrote a book entitled Until Tuesday.

There are two educational conferences at the M.I.N.D. Institute on October 25, 2011, "The Mind Distinguished Lecture Series," and "Minds Behind the Mind."

State-wide training of teachers continues. This year the training focuses on providing services to children with autism spectrum disorders in middle and high school.

The M.I.N.D. Institute has developed a series of workshops focused on youth transition and mentoring. The next workshop entitled Success Defined is scheduled for November 5, 2011. The target audience is for youth between the ages of 16 and 22 and their families.

The M.I.N.D. Institute has also developed collaboration with the UCEDD and Infant Development Association to do a series of conferences.

Patty O'Brien-Petterson attended the Lake County Special Education Local Planning Action Community Advisory meeting and found it very interesting.

Lisa Cooley continues to share the accomplishments of the Employment First Committee and Self-Advocates Advisory Committee with the local community.

Steve Silvius thanked Carol Risley for attending the Area Board 8 meeting and bringing the "Feeling Safe, Being Safe" booklets.

He gave an update on Matt Silvius' micro-business. They may be getting an order for 200 backpacks. Steve is very excited.

Jennifer Allen will be attending the educational conference at the M.I.N.D. Institute at the end of the month.

Jennifer also talked about a group called the Self Advocacy Coordination Project. This is a local group that has asked Jennifer to do a presentation on the Council in 2012.

Marcia Good spoke about her experience with the Council the past six years and how enriching it has been, in large part because of Roberta Newton, Area Board 10 Executive Director. Marcia went on to say that she encourages all area board executive directors to speak with their board members on a regular basis and let them know what is going on.

Michael Bailey reported on Area Board 11 meeting that took place the second week of September. The majority of the discussion was focused around adult day health care. He went on to say that CalOptima is preparing to implement a program that will replace the adult day health care in Orange County with a program called PACE.

Michael has been working with the Regional Center of Orange County, and several others organizations to bring awareness about an program called Dog Wish. This program provides trained service dogs to children with severe autistic disorders and persons with seizure disorders. RCOC and Inland Regional Center is getting ready to launch a pilot program with Dog Wish.

11. CHAIRPERSON'S REPORT

Leroy Shipp reported that he would be attending the NACCD meeting and Alliance for Full Participation Summit 2011 in Washington D.C. in November with Carol Risley and therefore not present for the November 2011 Council Meeting.

Leroy also talked about the difficulty his son is having finding a job and how the Council needs to help change the social norm concerning persons with disabilities.

Leroy would also like to see the Council consider changing its name to something like, "Developing Capabilities."

12. EXECUTIVE DIRECTOR'S UPDATE

Carol Risley also reported that she would not be at the November Council meeting due to travel on behalf of the Council. Michael Bailey, Vice Chair, will be chairing the November meeting.

13. ADJOURNMENT

Meeting was adjourned at 4:25 p.m.